

**4109. Misbranding of vinegar. U. S. \* \* \* v. 70 Barrels of Vinegar.  
Consent decree of condemnation and forfeiture. Product ordered  
released on bond. (F. & D. No. 5924. S. No. W-23.)**

On September 16, 1914, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 70 barrels of vinegar, remaining unsold in the original unbroken packages at San Francisco, Cal., alleging that the product had been shipped, on or about August 29, 1914, by the Hood River Apple Vinegar Co., Hood River, Oreg., and transported from the State of Oregon into the State of California, and charging misbranding in violation of the Food and Drugs Act. Sixty of the barrels were labeled: "Hood River Yellow Newton Brand Pure Cider Vinegar 50 gallons Hood River Apple Vinegar Company, Hood River, Oregon." Ten of the barrels were labeled: "Apple Vinegar Bottling Pure Cider Vinegar 45 grain 49 Gals. Hood River, Oregon."

It was alleged in the libel that the 70 barrels of vinegar were misbranded under the provisions of the Food and Drugs Act, in that said vinegar [barrels] were labeled to contain certain amounts of vinegar, whereas examination revealed that the barrels contained considerably less than the amounts represented on the labels.

On November 6, 1914, the said Hood River Apple Vinegar Co., Hood River, Oreg., claimant, having admitted the allegations in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant, upon payment of all the costs of the proceeding and the execution of a bond in the sum of \$600, in conformity with section 10 of the act, one of the conditions being that the vinegar should be properly labeled.

CARL VROOMAN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., December 4, 1915.